



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3004561
Applicant Name: Sean Bell
Address of Proposal: 1310 Lakeview Boulevard East

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two, 2 unit (duplex) townhouse structures and one single family detached unit (totaling five units) in an environmentally critical area. Parking for five vehicles will be located within the structures. The existing single family residence will be removed.

The following approval is required:

SEPA - Environmental Determination
Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

BACKGROUND DATA

Site Location: East Capitol Hill Neighborhood above Interstate 5 and Eastlake, below
St. Marks Cathedral

Zoning: Lowrise 2

Parcel Size: 7,970 square feet

Existing Use: Single family residence

Proposal Description: Construct two, 2 unit (duplex) townhouse structures and one single family detached unit (total five units) in an environmentally critical area. The existing single family residence will be removed.

Public Comment: No comment letters were received from neighbors during the comment period which ended May 10, 2006.

ENVIRONMENTALLY CRITICAL AREA

The site is mapped as an environmentally critical area due to the location in a 40 percent steep slope area and a potential landslide area. A Geotechnical report was submitted with this application and was reviewed by the department's geotechnical engineer. The soils report indicated that the test borings found a layer of sand with gravel overlying silt. Recommendations were provided regarding the retaining wall, drainage, foundations, seismic considerations, augercast concrete piers, soldier-pile installation, and excavation and shoring monitoring.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated [April 14, 2006](#). The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-term Impacts

The following temporary or construction-related impacts to the environmentally critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794). Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to applicable SEPA policies.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

CONDITIONS

None required.

Signature: _____ (signature on file) Date: December 25, 2006
Malli Anderson, Land Use Planner

MJA:bg

Anderson/doc/3004561d.doc